

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Northern Division

ABDUL CONTEH, et al.

Plaintiffs

v.

SHAMROCK COMMUNITY
ASSOCIATION, INC., et al.

Defendants

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Case No.:

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441, *et seq.*, Defendant Shamrock Community Association, Inc. ("Shamrock"), with the consent of Defendant Nagle & Zaller, P.C. ("Nagle & Zaller"), hereby moves for the removal of this action to the United States District Court for the District of Maryland (Northern Division). As grounds for removal, Shamrock states as follows:

1. Plaintiffs commenced this action on February 5, 2014, by filing a complaint in the Circuit Court for Anne Arundel County, Maryland. The complaint named as Defendants Shamrock Community Association, Inc., and Nagle & Zaller, P.C. (collectively "Defendants").
2. The Complaint was assigned Case No. 02-C-14-185260 OL by the Circuit Court (hereinafter the "State Court Action").
3. Plaintiffs served the summons on Defendant Nagle & Zaller on February 12, 2014. Plaintiffs served the summons on Defendant Shamrock on February 18, 2014.
4. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 103.5(a), a copy of all process, pleadings, and orders served upon Defendant are attached hereto as Exhibit A.
5. This action is brought by Abdul and Daday Conteh ("Plaintiffs") alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, (hereinafter "FDCPA"). See Exhibit A at Paragraphs 1, 31, and 34-38.
6. Pursuant to 28 U.S.C. § 1441(a), "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending."
7. This matter is subject to removal pursuant to 28 U.S.C. § 1441(b) because, as set forth above, Plaintiffs' FDCPA claims against the Defendants are founded in federal law and arise under the laws of the United States within the meaning of 28 U.S.C. § 1331.
8. Plaintiffs also bring state law claims, over which this court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a). See Exhibit A at Paragraphs 39-48.
9. This Court is the District Court of the United States for the district embracing the place where the State Court Action is pending.
10. This Notice of removal is being filed within thirty days after the Defendants received or otherwise became aware of Plaintiffs' complaint. It is therefore proper and timely pursuant to 28 U.S.C. § 1446(b).

11. A Notice of Filing Notice of Removal, attaching a copy of this Notice of Removal, is being filed contemporaneously hereto in the Circuit Court for Anne Arundel County, Maryland, and served on counsel for Plaintiffs, pursuant to 28 U.S.C. § 1446(d).
12. A copy of the Notice of Filing Notice of Removal is attached hereto (without attachments) as Exhibit B.
13. All Defendants consent to this Notice of Removal.

WHEREFORE, Defendant Shamrock respectfully requests that this Notice of Removal be accepted and that the State Court Action be removed to the United States District Court for the District of Maryland (Northern Division).

Respectfully submitted,


Brian R. Fellner
Federal Bar No. 28614
Nagle & Zaller, P.C.
7226 Lee DeForest Drive, Suite 102
Columbia, Maryland 21046
(410) 740 – 8100 x110
Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 2014, a copy of the foregoing Notice of Removal was mailed first class, postage pre-paid to:

E. David Hoskins, Esq.
Max F. Brauer, Esq.
The Law Offices of E. David Hoskins, LLC
16 East Lombard Street, Suite 400
Baltimore, Maryland 21202
Counsel for Plaintiffs


Brian R. Fellner